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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/724,775	11/28/2000	David C. Wilkins	DIGIP023	7663

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Patent Lean Staff
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EXAMINER

POKRZYWA, JOSEPH R

ART UNIT PAPER NUMBER

2625

DATE MAILED: 06/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/724,775	Applicant(s) WILKINS ET AL.	
	Examiner Joseph R. Pokrzywa	Art Unit 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's amendment was received on 3/29/06, and has been entered and made of record. Currently, **claims 1-18** are pending.

Response to Arguments

2. Applicant's arguments filed 3/29/06 have been fully considered but they are not persuasive.

3. In response to applicant's arguments regarding the rejection of **claims 1-18**, which were cited in the Office action dated 11/2/05 under 35 U.S.C. 102(e) as being anticipated by Yokomizo *et al.* (U.S. Patent Number 6,522,418), whereby the applicant argues on pages 6 and 7 that Yokomizo fails to teach of automatically synchronizing others of the set of multimedia assets based upon the modifying of the at least one set, as Yokomizo makes no reference to any modification of the low resolution images stored in the intermediate server. The examiner notes that currently, neither claim 1 nor claim 11 explicitly require that the first modification be performed "in the intermediate server", as argued by the applicant. Particularly, claim 1 requires "(a) modifying a particular one of the set of distributed multimedia assets, and (b) automatically synchronizing all others of the set of distributed multimedia assets based upon (a)". As read in column 20, lines 51-53, Yokomizo states, "At the local image editing station, a required editorial processing is effected on the down-loaded low-resolution image." Thus, a modifying process is done to the low-resolution image. Continuing, Yokomizo states in column 20, lines 53-59, that

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“Then, only the editorial information indicative of the contents of the editing effected is uploaded to the remote image editing station. In the remote image editing station, editorial processing exactly conforming with that performed in the local image editing station is effected on the high-resolution image...”. With this, all the other of the set of multimedia assets (being interpreted as the high resolution images) is processed so that they are “exactly conforming” with the modified low-resolution image, thereby being automatically synchronized based upon the modifying step. Similarly, claim 11 currently requires a “a first means for modifying a particular one of the set of distributed multimedia assets, and a second means for automatically synchronizing others of the set of distributed multimedia assets based upon the modifying of the first means.” As discussed above, Yokomizo can be interpreted as having a first means that modifies a multimedia asset (being the modification of the low resolution image at the local image editing station), and a second means that synchronizes (or making them “exactly conforming” to the modified low resolution image) others of the set of multimedia assets (being interpreted as the high resolution images), thereby automatically synchronizing based upon the modifying of the first means.

4. Therefore, the rejection of **claims 1-18**, as cited in the Office action dated 11/2/05 under 35 U.S.C. 102(e) as being anticipated by Yokomizo *et al.*, is maintained and repeated in this Office action.

Claim Objections

5. The objections to **claims 11 and 12**, as cited in the Office action dated 11/2/05, are withdrawn, as the amendment dated 3/29/06 overcomes the addressed problems.

Claim Rejections - 35 USC § 102

6. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

7. **Claims 1-18** are rejected under 35 U.S.C. 102(e) as being anticipated by Yokomizo *et al.* (U.S. Patent Number 6,522,418, cited in the Office action dated 11/2/05).

Regarding **claim 1**, Yokomizo discloses a method, in a distributed network (see Figs. 5-8), for automatically synchronizing each of a set of distributed multimedia assets (see abstract, and column 5, line 47-column 6, line 28) comprising modifying a particular one of the set of distributed multimedia assets (see abstract, and column 5, line 47-column 6, line 28) and automatically synchronizing all others of the set of distributed multimedia assets based upon the modifying step (see abstract, and column 5, line 47-column 6, line 28).

Regarding **claim 2**, Yokomizo discloses the method discussed above in claim 1, and further teaches of generating an update edit list corresponding to the modifying step (column 5, line 47-column 6, line 28, and column 10, lines 27-36).

Regarding **claim 3**, Yokomizo discloses the method discussed above in claim 2, and further teaches that the automatically synchronizing comprises forwarding the update edit list to the others of the set of distributed multimedia assets (column 5, line 47-column 6, line 28, and column 10, lines 27-36), and modifying each of the others of the set of distributed multimedia assets based upon the forwarded update edit list (see abstract, and column 5, line 47-column 6, line 28).

Regarding **claim 4**, Yokomizo discloses the method discussed above in claim 1, and further teaches of generating a resultant multimedia asset corresponding to the modifying step,

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wherein the resultant multimedia asset is formed of a digital negative of the particular one of the set of multimedia assets (see abstract, column 5, line 47-column 6, line 28, and column 7, line 54-column 8, line 54) and a corresponding edit list, wherein the edit list represents all modifications made to the digital negative (see abstract, column 5, line 47-column 6, line 28, and column 7, line 54-column 8, line 54).

Regarding **claim 5**, Yokomizo discloses the method discussed above in claim 4, and further teaches that the automatically synchronizing comprises replacing each of the others of the set of distributed multimedia assets with the resultant multimedia asset (see abstract, column 5, line 47-column 6, line 28, and column 7, line 54-column 8, line 54).

Regarding **claim 6**, Yokomizo discloses the method discussed above in claim 1, and further teaches that the multimedia asset is a digital image (column 5, line 20-column 6, line 28).

Regarding **claim 7**, Yokomizo discloses the method discussed above in claim 6, and further teaches that the digital image is one of a plurality of associated digital images (column 5, line 20-column 6, line 28).

Regarding **claim 8**, Yokomizo discloses the method discussed above in claim 7, and further teaches that the plurality of associated digital images take the form of an album (column 4, lines 6-13, and column 10, lines 27-45).

Regarding **claim 9**, Yokomizo discloses the method discussed above in claim 1, and further teaches that the edit list is one of a number of edit lists included in a catalog file (column 5, line 47-column 6, line 28, column 10, lines 27-36, and column 19, line 40-column 20, line 14).

Regarding **claim 10**, Yokomizo discloses the method discussed above in claim 9, and further teaches that each of the number of edit lists included in the catalog file are associated

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with a particular multimedia asset (column 5, line 47-column 6, line 28, column 10, lines 27-36, and column 19, line 40-column 20, line 14).

Regarding *claim 11*, Yokomizo discloses an apparatus, in a distributed network (see Figs. 5-8), for automatically synchronizing each of a set of distributed multimedia assets (see abstract, and column 5, lines 47-column 6, line 28), comprising a first means for modifying a particular one of the set of distributed multimedia assets (see abstract, and column 5, lines 47-column 6, line 28), and a second means for automatically synchronizing others of the set of distributed multimedia assets based upon the modifying of the first means (see abstract, and column 5, lines 47-column 6, line 28).

Regarding *claim 12*, Yokomizo discloses the apparatus discussed above in claim 11, and further teaches of a third means for generating an update edit list based upon the modifying of the first means (column 5, line 47-column 6, line 28, and column 10, lines 27-36).

Regarding *claim 13*, Yokomizo discloses the apparatus discussed above in claim 12, and further teaches of fourth means coupled to the third means for forwarding the update edit list to the others of the set of distributed multimedia assets (column 5, line 47-column 6, line 28, and column 10, lines 27-36), and a fifth means coupled to the fourth means for modifying each of the others of the set of distributed multimedia assets based upon the forwarded update edit list (see abstract, and column 5, line 47-column 6, line 28).

Regarding *claim 14*, Yokomizo discloses the apparatus discussed above in claim 11, and further teaches of sixth means coupled to the first means for generating a resultant image corresponding to the modified multimedia asset wherein the resultant image is formed of a digital negative of the particular one of the set of multimedia assets (see abstract, column 5, line

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47-column 6, line 28, and column 7, line 54-column 8, line 54) and a corresponding full edit list, wherein the full edit list represents all modifications made to the digital negative (see abstract, column 5, line 47-column 6, line 28, and column 7, line 54-column 8, line 54).

Regarding *claim 15*, Yokomizo discloses the apparatus discussed above in claim 14, and further teaches that the automatically synchronizing comprises a seventh means coupled to the first means for replacing each of the others of the set of distributed multimedia assets with the resultant multimedia asset (see abstract, column 5, line 47-column 6, line 28, and column 7, line 54-column 8, line 54).

Regarding *claim 16*, Yokomizo discloses the apparatus discussed above in claim 12, and further teaches that the multimedia asset is a digital image (column 5, line 20-column 6, line 28).

Regarding *claim 17*, Yokomizo discloses the apparatus discussed above in claim 16, and further teaches that the digital image is one of a plurality of associated digital images (column 5, line 20-column 6, line 28)

Regarding *claim 18*, Yokomizo discloses the apparatus discussed above in claim 17, and further teaches that the plurality of associated digital images take the form of an album (column 4, lines 6-13, and column 10, lines 27-45).

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joe Pokrzywa whose telephone number is (571) 272-7410. The examiner can normally be reached on Monday-Friday, 9:00-5:00.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Joseph R. Pokrzywa
Primary Examiner
Art Unit 2625

jrp



JOSEPH R. POKRZYWA
PRIMARY EXAMINER